IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

INCOME TAX APPEAL NO.337 OF 2003

The Commissioner of Income Tax
Mumbai city 24, Mumbai Appellant

vs.

Aminabai Yasin, Mumbai. Respondent

Mr.R.Asokan i/b. Mr.L.S.Shetty for the appellant.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 15th October 2004

P.C.

The controversy raised in this appeal is concluded by the Division Bench judgment of this Court in Cadell Weaving Mill Co. Pvt.Ltd. v. Commissioner of Income Tax, 249 ITR 265.

2. The learned counsel for the revenue, however, submits that the appeal against the said order is pending before the Supreme Court. Even if that be so, in so far as we are concerned, the controversy stands concluded by the Division Bench judgment of this Court.

3. No substantial question of law arises.

4. The appeal is dismissed in limine.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)